

DEVELOPMENT SERVICES DEPARTMENT

Planning & Zoning Division

MEMORANDUM

PZ 07-23-99

TO: Robert Rawls, Interim Town Administrator

FROM: Mark A, Kutney, AICP, Development Services Director

DATE: July 13, 1999

RE: Code Compliance Mitigation request Broward Plaza
(Blanche Fink and L. Kaufman and Irene Kaufman)

Pursuant to our previous discussions this mitigation request was negotiated and approved by Staff prior to Town Council's direction relative to Code Compliance Mitigation Guidelines. This item was held and submitted to Town Council in conjunction with revised Code Compliance Mitigation Guidelines as New Business Agenda item (15.1). Town Council did not want to see further piece-meal mitigations until the Guidelines were revised and submitted.

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINE IN CASE NO. 95-411 FROM \$9,200 IN AMOUNT TO \$1,000; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sned, Pruit, D'Angio and Tucker on behalf of Broward Plaza Partnership and Blanche Fink and L. Kaufman and Irene Kaufman, requested a mitigation of a Code Enforcement lien from \$9,200 to \$1,000; and

WHEREAS, the Town of Davie Code Compliance Division has determined that the violation of Code Sections 12-243(d)(5), 12-238(l), 12-243(d)(5)(d) and 12-33(g) were corrected; and

WHEREAS, the Town of Davie Code Compliance Division staff suggested that based upon recommended mitigation guidelines, the mitigation of the original lien be from \$9,200 to \$1,000; and

WHEREAS, Sned, Pruit, D'Angio and Tucker on behalf of of Broward Plaza Partnership and Blanche Fink and L. Kaufman and Irene Kaufman, and the Town of Davie Code Compliance Division are agreeable to such mitigation.

WHEREAS, the Town Council is agreeable to such mitigation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That the certain Code Compliance lien arising out of Case 95-411 in the amount of \$9,200, against Blanche Fink and L. Kaufman and Irene Kaufman, is hereby mitigated in amount to \$1,000.

SECTION 2. That this mitigated amount of \$1,000 be paid to the Town within 45 days of the enactment of this Resolution. Should this amount of \$1,000 not be paid within the specified time the lien shall revert to the original amount of \$9,200.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 1999.

MAYOR/COUNCIL MEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 1999.

MITIGATION REQUEST SUMMARY

DATE: July 8, 1999

NAME: Sned, Pruit, D'Angio and Tucker, on behalf of of Broward Plaza Partnership and Blanche Fink and L. Kaufman and Irene Kaufman

ADDRESS: 4803 South State Road 7, Davie, FL

CASE: 95-411

SUMMARY:

| | |
|---------------------------|-------------------|
| Date respondents cited: | November 14, 1995 |
| Date of Final Order: | November 30, 1995 |
| Non-Compliance Hearing(s) | November 24, 1998 |
| Fine/Lien(s) Imposed: | \$ 9,200 |

| | |
|---|--|
| Department Guideline recommended mitigation amount: | <u>\$ 1,000</u> |
| Amount the respondent desires to pay: | <u>\$ 1,000</u> |
| Date respondent requested mitigation: | <u>February 19, 1999</u> |
| Date of Mitigation Hearing by Special Master: | <u>N/A</u> Direct to Council in agreement with Guidelines. |

The former property owners were cited for violations of displaying temporary banners without a thirty (30) day permit, vehicular signage code-banner signs, banners not affixed to building prohibited and commercial vehicle code parking in a business district. The violations have been corrected and mitigation is acceptable. The mitigated amount will cover the Town expenses and the recommended mitigated amount of \$1,000 should be considered and approved by the Town Council and the respondent(s) given 45 days to pay the mitigated amount.

MICKI MACKENZIE
CODE COMPLIANCE SECRETARY